

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHESTER M. POLECK, JR.	:	CIVIL ACTION
Plaintiff,	:	
	:	
vs.	:	
	:	NO. 09-291
MICHAEL J. ASTRUE,	:	
Commissioner of Social Security	:	
Defendant.	:	

ORDER

AND NOW, this 9th day of November, 2009, in accordance with the Court's separate Order dated November 9, 2009, remanding the case to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of United States Magistrate Judge Jacob P. Hart dated September 16, 2009, as supplemented and amended by the Court's November 9, 2009 Memorandum, pursuant to Shalala v. Schaeffer, 509 U.S. 292, 296-97 (1993), Kadelski v. Sullivan, 30 F.3d 399 (3d Cir. 1994), and Federal Rule of Civil Procedure 58, **IT IS ORDERED** that **JUDGMENT** is **ENTERED** in **FAVOR** of plaintiff, Chester M. Poleck, Jr., and **AGAINST** defendant, Michael J. Astrue, Commissioner of the Social Security Administration, in the above-captioned case.

IT IS FURTHER ORDERED that the Clerk of Court shall **MARK** the case **CLOSED FOR STATISTICAL PURPOSES**.

BY THE COURT:

/s/ Jan E. DuBois

JAN E. DUBOIS, J.